

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

EARTH ISLAND INSTITUTE

Plaintiff

v.

**CICELY MULDOON, U.S. NATIONAL
PARK SERVICE, U.S. DEPARTMENT
OF THE INTERIOR,**

Defendants

**CASE NO. 1:22-CV-0710 AWI EPG
1:22-CV-1132 AWI SKO**

**ORDER RELATING AND
REASSIGNING CASE**

Plaintiff initially filed Case No. 22-cv-0710 to challenge Defendants' decision to thin certain trees in Yosemite National Park. Plaintiff then filed Case No. 22-cv-1132 to challenge Defendants' decision not to provide records in response to Plaintiff's FOIA request which is designed to obtain records relevant to Case No. 22-cv-0710. Plaintiff has filed a notice of related cases and asks that these cases be assigned to the same judges.

Local Rules state that "If the Judge to whom the action with the lower or lowest number has been assigned determines that assignment of the actions to a single Judge is likely to effect a savings of judicial effort or other economies, that Judge is authorized to enter an order reassigning all higher numbered related actions to himself or herself." Local Rule 123(c). To guide this determination, the Local Rules also provide that:

An action is related to another action within the meaning of this Rule when

(1) both actions involve the same parties and are based on the same or a similar claim;

(2) both actions involve the same property, transaction, or event;

(3) both actions involve similar questions of fact and the same question of law and

1 their assignment to the same Judge or Magistrate Judge is likely to effect a
2 substantial savings of judicial effort, either because the same result should follow in
3 both actions or otherwise; or

4 (4) for any other reasons, it would entail substantial duplication of labor if the
5 actions were heard by different Judges or Magistrate Judges.

6 Local Rule 123(a).

7 Here, the two cases largely involve the same parties. From Plaintiff's representations,
8 there is almost complete overlap between the case as the FOIA request. Assignment of the same
9 district and magistrate judges would avoid unnecessary duplication of labor. Relation of cases is
10 proper. Because the undersigned and Magistrate Judge Grosjean have the lower numbered related
11 case, Case No. 22-cv-1132 will be reassigned to the dockets of Senior District Judge Anthony Ishii
12 and Magistrate Judge Erica P. Grosjean.

13 IT IS SO ORDERED.

14 Dated: December 12, 2022



15 SENIOR DISTRICT JUDGE
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